

*REMARKS/ARGUMENTS**The Pending Claims*

Currently pending are independent claim 1 as amended, dependent claims 2 – 10, and new claims 11-13, all of which are directed to a motor vehicle door. Reconsideration of the pending claims in view of the amendments and arguments made herein is respectfully requested.

Summary of the Amendments to the Claims and New Dependent Claims

Applicants have amended independent claim 1 to more distinctly claim the motor vehicle door. Specifically, claim 1 has been amended to recite that the projection projecting from the module support is "an integral part of the module support." Support for this amendment may be found in the published application at, for example, FIG. 1 which illustrates the module support 5 and the projection 12a being formed integrally with one another. FIG. 1 visually indicates the integral nature of the module support and the projection by shading both with the same cross-hatching. See, e.g., *Vas-Cath, Inc. v. Mahurkar*, 935 F.2d 1555 (Fed. Cir. 1991) ("[D]rawings alone may provide a 'written description' of an invention as required by §112."). It is respectfully submitted that the amendment to claim 1 adds no new matter.

Applicants present new claims 11-13 in this amendment. Similar to the amendment to claim 1, new claim 11 specifies that "the step support is an integral part of the window lifting rail." Support for claim 11 can be found at, for example, FIG. 1 which shows the step support 12b formed integrally with the window-lifting rail 3. New claim 12 states that the projection included on the receiver of the module support is reinforced by a reinforcement rib. Support for this new claim can be generally found at, for example, FIGS. 3b and 3c which depicts a reinforcement rib 19 on the module support. New claim 13 is supported by FIG. 1 which, as described above, shades the projection 12a and the module support 5 with the same cross-hatching, indicating that they are of the same material. Accordingly, it is respectfully submitted that new dependent claims 11-13 are supported by the original specification.

Summary of the Office Action

The Office Action dated April 1, 2010, rejects claims 1, 2, 5, and 6 as allegedly obvious under 35 U.S.C. § 103(a) over U.S. Patent No. 4,089,134 ("Koike") in view of U.S. Patent No.

5,855,095 ("Dedrich"). The Office Action also rejects claims 3, 4, and 7-10 as obvious over Koike and Dedrich in various combinations with U.S. Publication No. 2004/0049988 ("Reul"). Applicants respectfully note that the Office Action appears to withdraw the previously asserted indefiniteness rejections under 35 U.S.C. § 112.

Discussion of the Prior Art Rejections

Applicants respectfully submit that independent claim 1 as amended is patentable over the prior art of Koike, Dedrich and Reul for several reasons. It is well established that in order to support the rejection of a claim as obvious, the prior art reference or references as combined must teach or suggest every element of the rejected claim. See, e.g., M.P.E.P § 2143. Because Koike and Dedrich fail to disclose that the projection on the receiver of the module support is integral with the module support as stated in claim 1, those references cannot render claim 1 unpatentable.

Koike describes a vehicle window guide arrangement for guiding a curved window through a vehicle door. The vehicle guide arrangement described in Koike includes an adjustable mounting device 40 made up of an upper L-shaped bracket 42 fixed to the guide track that cooperates with another L-shaped bracket 44 bolted to the inner panel. See, e.g., Koike col. 3, ll. 65-57. Koike discloses that the leg portion 44b of the L-shaped bracket 44 bolted to the inner panel includes a vertical slot to permit vertical adjustment of the leg portion with respect to the inner panel, presumably by releasing and tighten the bolt fixing the bracket and the inner panel together. The bolt is described as running horizontally thus carrying most of the vertical forces imposed on the bracket by the window guide mechanism.

Claim 1, in contrast, requires that the projection on the receiver of the module support supports the window lifting rail and accommodates the vertical weight forces of the window lifting rail. Moreover, the projection is an integral part of module support which provides several advantages. First, making the module support and projection integral strengthens both of them and facilitates the transfer of weight forces from the window-lifting rail supported on the projection to the module support. The integral construction also eliminates the need for the screwing to accommodated weight forces of the window lifting rail, a claimed feature of the invention. Additionally, elimination of the screwing reduces assembly complications and

expense making the motor vehicle door more economical to manufacture. See, e.g., published application, paragraph [0007].

Hence, the claimed feature of the projection being integral with the module support clearly distinguishes Koike which requires a bolt running horizontally to fix the L-shaped bracket to the inner panel. It will be appreciated that in contrast to the integral design of claim 1, use of the bolt to secure the bracket and the inner panel in Koike requires significantly more assembly time and effort. Moreover, one of skill in the art would not be motivated to modify Koike to eliminate the bolt for an integral connection because that would also render useless and un-functional the adjustable mounting device 40. See, e.g., M.P.E.P. § 2143.01(VI) ("The Proposed Modification Cannot Change the Principle of Operation of a Reference"). Hence, because claim 1 is structurally different and directed to achieving different benefits than Koike, it is respectfully submitted that claim 1 is patentable over Koike.

It is respectfully submitted that neither Dedrich or Reul can supplement the absence in Koike of teaching an integral assembly between the module support and the projection. Whatever type of connections are described in Dedrich and Reul, one of skill would not think or be motivated to modify the bolt connection used in Koike. As described above, doing so would render the adjustable mounting device 40 un-functional, and therefore any modification of the prior art disclosure in Koike would not be obvious.

Applicants also respectfully submit that dependent claim 12, which further claims a reinforcing rib to reinforce the projection, is an additional patentable feature. As can be appreciated, the reinforcing rib strengthens the projection which must accommodate the weight forces from the window lifting rail and transfer those forces to the module support. Because this type of connection between window lifting rail and the module support is not disclosed in or suggested by the prior art of reference, it is respectfully submitted that none of the prior art would further suggest the use of a reinforcing rib to reinforce the projection.

Conclusion

Applicants respectfully submit that the patent application is in condition for allowance. If, in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call the undersigned attorney.

Respectfully submitted,

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